

PLANNING GUIDANCE FOR PY 2003 AGRICULTURAL SERVICES SUBMISSION

- I. Summary of Submission Requirements. Each State Workforce Agency, in its Agricultural Services Submission, must describe the activities planned for providing services to the agricultural community, both agricultural employers and Migrant and Seasonal Farmworkers (MSFWs), as described in 653.107. The document must contain the following:

A. Assessment of Need. (See Part II)

All states must prepare a comprehensive assessment of need in accordance with Federal requirements at 20 CFR Part 653.107.

B. Outreach Activities. (See Part III)

All states shall prepare a comprehensive plan for outreach in accordance with Federal requirements at 20 CFR 653.107.

C. Services Provided to MSFWs through the One-Stop Delivery System. (See Part IV)

States must provide specific information on how services will be provided to MSFWs through the One-Stop delivery system, including core, intensive, and training services provided under WIA Title I. In addition, states should provide information on how MSFWs will be served in an electronic environment. WIA did not revise requirements at 20 CFR 653 or 685; therefore, states must continue to provide services to MSFWs and collect data as required by 20 CFR 653.109.

All states must meet the minimum requirements for providing services to MSFWs and must meet four of the five equity indicators. Additionally, significant MSFW states must meet four of the seven minimum service level indicators. States that expect to have difficulty in meeting the MSFW performance indicators must describe the nature of the problem and the steps planned to meet the performance indicators.

D. Services Provided to Agricultural Employers through the One-Stop Delivery System. (See Part V)

All states must describe efforts that will be taken to provide services to agricultural employers in both those states with an adequate supply of U.S. workers and those where the supply appears to be inadequate.

E. Other Requirements.

1. Contingency Planning. It is possible that there will be no separately funded WIA Section 167, National Farmworker Job Training Program (NFJP) Grantees in PY 2004. It is also possible that the Wagner-Peyser Act will be repealed and/or that the funding for core employment services will be consolidated into a block grant. Please provide a detailed assessment regarding how services to MSFWs and the rest of the agricultural community would be improved by these changes. Include a timeline of the major anticipated actions to transition from the old service delivery structure to the one currently being proposed.
2. Monitor Advocate. States must appoint a full-time Monitor Advocate as stated in 20 CFR 653.108 (b). If a State Monitor Advocate is working less than full-time, justification for the part-time status of the State Monitor Advocate must be provided to and approved by the Department of Labor (DOL). All states must provide a statement that indicates that the State Monitor Advocate has been afforded the opportunity to approve and/or comment on the PY 2003 Agricultural Services Submission as stated in 20 CFR 653.111. All states must provide a statement which indicates that the state considered the State Monitor Advocate's recommendations as presented in the annual MSFW summary developed under 20 CFR 653.109(t).
3. MSFW Affirmative Action Plans. States with designated significant Affirmative Action local offices are required to submit an Affirmative Action Plan to DOL in accordance with 20 CFR 653.111.
4. Review and Comment by WIA Section 167 National Farmworker Job Training Program (NFJP) Grantees. All states must provide information indicating that WIA Section 167 grantees, other appropriate MSFW groups, public agencies, agricultural employer organizations and other interested employer organizations, have been given the opportunity to comment on the State Agricultural Services Submission, including any required significant MSFW local office Affirmative Action Plans. States must submit a list of organizations from whom information and suggestions were solicited; any comments received and agency responses are to be submitted in the annual plan as indicated in 20 CFR 653.107 (d).

II. Assessment of Need. Under 20 CFR 653.111 (d) all states must submit an assessment of need. This assessment of need must take into account data supplied by WIA Section 167 grantees, MSFW organizations, employer organizations, federal/state agencies, Migrant Education Agency, etc. This assessment of need must include:

A. A review of the previous year's agricultural activity in the state.

- ✓ Identify each major labor-intensive crop activity in the previous year, indicating the months of heavy activity and the geographic area of prime activity.

B. A review of the previous year's MSFW activity in the state.

- ✓ Estimate the agricultural labor employed in each of the crops identified in item II.A. Estimate the number of MSFWs involved in each, and indicate crop areas that experienced labor shortages.

C. Projected level of agricultural activity expected in the state in the coming year.

- ✓ Identify any changes from last year's crop activities as described in item II.A.

D. A projected number of MSFWs in the state in the coming year.

- ✓ Identify any changes in the numbers of MSFWs involved in each crop activity as described in item II.A.

III. Outreach Activities. Each state must prepare a comprehensive outreach plan in accordance with Federal requirements at 20 CFR Part 653.107. The outreach plan must be based on the actual conditions which exist in the particular state, taking into account the State Workforce Agency's (SWAs) history of providing outreach services, the estimated number of MSFWs in the state, and the need for outreach services in the state.

The five states with the highest estimated year-round MSFW activities must assign full-time, year-round staff to outreach activities. ETA designates these states each year. The five states designated for PY 2003 are provided in Table 5. The remainder of the top 20 significant MSFW states, indicated in Table 1, must make maximum efforts to hire outreach staff with MSFW experience for year-round positions and shall assign outreach staff to work full-time during the period of highest activity.

ETA will base its approval on whether the state outreach plan adequately addresses the following:

A. Assessment of Available Resources. The assessment of the resources

available for outreach shall include:

1. The number of SWA staff positions the state will assign to outreach activities. The assessment must indicate the full-time equivalent positions for each local office to which staff must be assigned, and the number of staff assigned to the state office for this purpose. The significant MSFW local offices listed in Table 4 should assign full-time staff for outreach duties during the peak seasons, as indicated in 20 CFR 653.107(h)(3)(i).
2. Where the number of SWA staff positions assigned to outreach activities is less than in the prior year, please provide an explanation for the reduction and the expected effect of the reduction on direct outreach activities, as indicated in 20 CFR 653.107(h)(3)(i).
3. Identify resources to be made available through existing cooperative agreements with public and private community service agencies and MSFW groups. (States are encouraged to initiate cooperative agreements with WIA Section 167 grantees for outreach position.)

B. Numerical Goals. The anticipated results of these outreach efforts are provided in Item A. These goals shall include:

1. The number of MSFWs to be contacted by employment service staff during the program year, listed by local office where outreach staff is assigned, as well as the state office, as indicated in 20 CFR 653.107(c)(3).
2. The number of staff days (based on eight-hour days) to be utilized for outreach, listed by local office where outreach staff is assigned, as well as the state office.
3. The number of MSFWs contacted by other agencies under cooperative arrangements.

C. Proposed Outreach Activities. States must describe the outreach efforts to be provided to MSFWs. These efforts must include those described in 20 CFR 653.107 C (i-p). Also, describe any coordinated activities with other agencies where a possible surplus of workers may exist.

IV. Services Provided to MSFWs through the One-Stop Delivery System.

A. Planning Data for the Upcoming Year

If a state's estimated planning data for the current year indicate difficulty in meeting equity indicators, minimum services levels, or planned levels of activity, ETA will request the state submit a narrative regarding the

difficulty. The following items must be included in a narrative:

1. A description of the problems;
2. Specific steps planned to meet minimum service levels; and
3. Specific steps planned to meet equity level of services.

Federal regulations at 20 CFR 653.112 require the establishment of performance indicators reflecting equity and the measurement of minimum levels of service. The indicators established by ETA include the seven minimum service level indicators and the five SWA-controlled indicators to measure equity of service. All states are required to meet at least four of the five equity indicators. Additionally, significant MSFW states are required to meet at least four of the seven minimum service level indicators.

The seven minimum service level indicators are listed in Table 3. These standards are set to encourage appropriate service to MSFWs and to assure the continuation of such services. The minimum service levels are established annually. The standards are set at a level high enough to encourage low performing states to improve their performance, but not so high as to make achievement extraordinarily difficult.

The five equity indicators for all states are:

Ratio of non-MSFWs to MSFWs referred to jobs
Ratio of non-MSFWs to MSFWs for whom service is provided
Ratio of non-MSFWs to MSFWs referred to supportive services
Ratio of non-MSFWs to MSFWs provided with career guidance
Ratio of non-MSFWs to MSFWs for whom a job development contact was made

B. Significant MSFW Local Office Affirmative Action Plans

The Department of Labor designated significant MSFW local offices, for which an Affirmative Action Plan must be developed and submitted, under 20 CFR 653.111. The designations for PY 2001 of Affirmative Action Plan local offices are provided in Table 2.

The Affirmative Action Plan (20 CFR 653.111-1(b)) must include a comparison of the racial and ethnic composition of the workforce and that of the local office staff. When the comparison shows an under-representation of a racial or ethnic group in the local office, the plan must establish a reasonable timetable with goals to remedy the imbalance.

V. Services Provided to Agricultural Employers through the One-Stop Delivery System.

A. Data Analysis.

1. Previous year's history (based on PY 2001 data):

Number of agricultural job orders and openings received

Number of agricultural job orders filled

Percent to be filled

Number of interstate clearance orders received

Number of interstate clearance orders initiated

2. Plan for upcoming year (based on estimated data):

Number of agricultural job orders expected to be received

Number of agricultural job orders projected to be filled

Percent to be filled

Estimated number of interstate clearance orders the state will receive

Estimated number of interstate clearance orders the state will initiate

B. Narrative Description.

All states must provide a description to ETA of their efforts to provide services to their agricultural employers regardless of whether the employers have an adequate labor supply of U.S. workers. These efforts should include:

- ✓ A description of how the SWA plans to provide labor exchange services to agricultural employers.
- ✓ A description of the process used to identify agricultural employers that are expected to utilize MSFWs.
- ✓ A description of the process for linking available workers with the employers, including the cooperation with or the creation of coordinating bodies to assure programs are coordinated and to ensure programs respond to local needs. These coordinating groups may consist of organizations, such as the WIA Section 167 grantees, agricultural employers, migrant education groups, and migrant health groups.
- ✓ Describe how the state will promote labor exchange services to agricultural employers, e.g., participate in employer conferences, develop marketing tools, provide labor exchange information to employers, and recruit U.S. workers.
- ✓ Where an H-2A program operated in the state in the previous year, explain efforts to increase U.S. worker participation.

VI. Enclosures to State Planning Guidelines for Agricultural Services.

Table 1. Significant MSFW States for PY 2003

Table 2. Affirmative Action Plan--Significant MSFW Local Offices

Table 3. Minimum Service Level Indicators for PY 2003

Table 4. Significant MSFW Local Offices and Bilingual Offices for PY 2003

Table 5. States with Highest Estimated MSFW Activity

Table 1**SIGNIFICANT MSFW STATES FOR PY 2003**

<u>State</u>	<u>MSFW Applicants</u>
California	25,808
Texas	21,568
Florida	14,813
Washington	15,696
North Carolina	15,418
Arizona	8,000
Georgia	4,337
Michigan	8,821
Puerto Rico	3,863
South Carolina	3,817
Virginia	3,266
Oregon	3,885
Minnesota	1,086
New Mexico	2,096
New York	1741
Ohio	1,902
Pennsylvania	735
Illinois	1,999
Wisconsin	1022
Idaho	1,289

Table 2

AFFIRMATIVE ACTION PLAN--SIGNIFICANT MSFW LOCAL OFFICES
(TOP 20% OF MSFW ACTIVITY NATIONWIDE)

<u>Local Office</u>	<u>Region</u>	<u>MSFW Applications</u>
Onley, VA	2	3,945
Edinburg, TX	4	4,055
Weslaco/Mercedes, TX	4	5,361
Moses Lake, WA	6	6,070
Yuma, AZ	6	5,656
Yakima, WA	6	4,890
Sunnyside, WA	6	4,463

Federal regulations at 20 CFR 653.111(b)(1) require that “Affirmative Action Plan” local offices be designated each year. For purposes of this provision, these local offices mean those representing the top 20% of MSFW activity nationally.

Total MSFW application nationwide in PY 2001: 167,028

Table 3**MINIMUM SERVICE LEVEL INDICATORS FOR PY 2003**

In accordance with Federal regulations at 20 CFR 653.112, the following are the minimum service levels for PY 2003 that significant MSFW states must meet:

- (1) Individuals placed in a job;
- (2) Individuals placed in a job with a wage exceeding the Federal minimum wage by at least 50 cents/hour; and
- (3) Placed in long-term (over 150 days) non-agricultural jobs.

<u>State</u>	(1) <u>MSFW</u> <u>Placed %</u>	(2) <u>Placed \$.50</u> <u>Above Federal</u> <u>Minimum Wage</u>	(3) <u>Placed in</u> <u>Long-term</u> <u>Non-Ag Jobs</u>
California	42.5	14.0	4.9%
Texas	42.5	14.0	8.2
Florida	42.5	14.0	6.0
Washington	42.5	14.0	3.3
North Carolina	42.5	14.0	5.0
Arizona	42.5	14.0	3.8
Georgia	42.5	14.0	3.8
Michigan	42.5	14.0	4.2
Puerto Rico	42.5	14.0	3.0
South Carolina	42.5	14.0	6.2
Virginia	42.5	14.0	5.0
Oregon	42.5	14.0	3.9
Minnesota	42.5	14.0	5.2
New Mexico	42.5	14.0	4.3
New York	42.5	14.0	3.3
Ohio	42.5	14.0	7.3
Pennsylvania	42.5	14.0	4.2
Illinois	42.5	14.0	4.2
Idaho	42.5	14.0	4.0
Wisconsin	42.5	14.0	4.5

- (4) Review of significant MSFW local offices: 100% for all significant states;
- (5) Field checks on agricultural clearance orders;
- (6) Outreach contacts per staff day as determined by the SWA; and
- (7) Processing of complaints in accordance with 20 CFR.

Table 4

**SIGNIFICANT AND BILINGUAL
MSFW LOCAL OFFICES FOR PY 2003**

REGION I**Puerto Rico**

Ponce*
Coamo
Mayaguez*
San German
Yauco
Manati
Caguas*
Humacao
Arecibo
Guayama
Aguadilla
Bayamon*
Fajardo*
Rio Piedras*

New York

Albion
Hudson
Kinston
Lockport
Pine Island
Newark
Riverhead
Syracuse

New Jersey

Hammontown
Vineland
Bridgetown*
Trenton

REGION II**Delaware**

Dover

Maryland

Salisbury

Pennsylvania

Chambersburg*
Gettysburg*

Virginia

Onley*
Winchester*

West Virginia

Martinsburg

REGION III**Florida**

Apollo Beach*
Belle Glade*
Bradenton*
Fort Pierce*
Immokalee/Naples*
Florida City*
Quincy*
Wachula/Sebring*
Winter Haven*

Georgia

Americus*
Bainbridge*
Cordele*
Douglas*
Moultrie*
Statesboro*
Vadalia*
Waycross

North Carolina

Burgau*/Wilmington
Clinton*
Dunn*
Elizabethtown*
Hendersonville*
Kenansville*
Mount Olive*
New Bern*
Smithfield*
Washington*

Wilson*

South Carolina

Beaufort*
Charleston*
Greenwood*
Kingstree*
Spartanburg*
Sumter*

REGION IV**New Mexico**

Deming*
Las Cruces*

Texas

Brownsville*
Canutillo
Carrizo Springs
Crystal City
Eagle Pass*
Edinburg
Fabens
Floydada
Halingen
Hereford
Laredo
Lamesa
McAllen
Muleshoe
Pecos
Plainview
Raymondville
Rio Grand City
Uvalde
Weslaco*

Colorado

Brighton*
Delta*
Greeley*
Lamar*
Monte Vista*
Rocky Ford*

North Dakota

Grafton*

Montana

Sidney

Utah

Brigham City

REGION V**Wisconsin**

Beaver Dam*
Wautoma*

Illinois

Danville*
Kankakee*
Murphysboro*
Peoria*

Michigan

Adrian
Fremont
Lapeer
Hartford

Minnesota

Crookston*
East Grand Forks*
Mankato*
Moorhead*
Owatonna*

REGION VI**Arizona**

Omak-Okanogan
Wenatchee
Moses Lake
Yakima
Sunnyside

Columbia Basis

Walla Walla
Coolidge*
Douglas*
Wilcox*
Yuma*
Maryvale
Messa

California

Bakersfield
Blythe*
Chico
Colusa
Delano*
El Centro/Calexico*
Fresno (West)*
Gilroy*
Hanford*
Hollister*
Huron*
Indio*
Lakeport
Lamont*
Lodi*
Los Banos*
Madera*
Manteca
Marysville
Mendota
Merce*
Modesto
Oakdale*
Oxnard*
Porterville*
Salinas/Greenfield*
Sanger*
Santa Maria
Turlock*
Ukiah
Wasco*
Watsonville*
Woodland*

Idaho

Burley*
Canyon County
Magic Valley*
Emmett*
Payette*
Rexburg*

Oregon

Hood River*
Madras*
Milton-Freewater*
Ontario
Woodburn*
Washington
Bellingham*
Columbia Gorge*
Moses Lake*
Mount Vernon
Okanogan*
Sunnyside
Tri-Cities*
Walla Walla*
Wenatchee*
Yakima

***Denotes Bilingual**

Table 5

STATES WITH HIGHEST ESTIMATED MSFW ACTIVITY

The following are the five states with the highest year-round MSFW activity:

California

Texas

Florida

Washington

North Carolina

In accordance with Federal regulations at 20 CFR 653.107(I), these states must assign full-time year-round staff to outreach duties. The remainder of the significant MSFW states shall make maximum efforts to hire outreach staff with MSFW experience for year-round positions and shall assign outreach staff to work full-time during the period(s) of the highest activity. Such outreach staff must be bilingual if warranted by the characteristics of the MSFW population in the state, and must spend a majority of their time in the field, as stated in 653.107(h)(3)(i).